

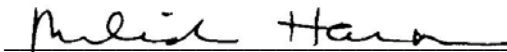
**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

UNITED STATES OF AMERICA,	}	
<i>Plaintiff-Respondent</i>	}	
	}	
v.	}	CRIMINAL ACTION NO. H-00-30-2
	}	CIVIL ACTION NO. H-03-2915
VICTOR HUGO CASTRO,	}	
<i>Defendant-Petitioner</i>	}	

**MEMORANDUM AND ORDER**

Presently before the Court are Petitioner Victor Hugo Castro's Motion to Vacate, Set Aside or Correct Sentence filed pursuant to 28 U.S.C. § 2255 (Doc. 275), the United States's Response and Motion to Dismiss (Doc. 278), the Magistrate Judge's Memorandum and Recommendation (Doc. 286), Petitioner's Motion to Vacate and Correct Illegal Sentence, which the Court construes to be a Motion to Amend § 2255 Motion to Vacate, Set Aside, or Correct Sentence (Doc. 291), and the Magistrate Judge's Memorandum and Recommendation Denying Movant's Motion to Amend § 2255 Motion to Vacate, Set Aside, or Correct Sentence. (Doc. 292). After carefully considering the record and the applicable law, the Court concludes that Petitioner's Motion to Amend § 2255 Motion to Vacate, Set Aside, or Correct Sentence (Doc. 291) and his Motion to Vacate, Set Aside or Correct Sentence filed pursuant to 28 U.S.C. § 2255 (Doc. 275) should be **DENIED** and the Government's Motion to Dismiss (Doc. 278) should be **GRANTED**. Accordingly, this action is **DISMISSED WITH PREJUDICE**. The Court adopts the Magistrate Judge's Memoranda and Recommendations (Doc.286, Doc. 292) in full.

**SIGNED** at Houston, Texas, this 20<sup>th</sup> day of October, 2005.

  
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MELINDA HARMON  
UNITED STATES DISTRICT JUDGE